

## REMARKS

The rejection of claims 1-17 under 35 USC 112, first paragraph, as failing to comply with the enablement requirement is respectfully traversed.

The Examiner alleges that the claims contain subject matter not described in the specification in such a way as to enable one skilled in the art to which it pertains and with which it is most nearly connected, to make and/or use the invention. To the contrary, the application would make no sense to one skilled in the art and would be totally confusing to one skilled in the art if it were interpreted with the word "capacity" in the description and claims 1-17 having the alleged "accepted meaning" referred to by the Examiner. It is clear from the description and from the abstract that ultrasonic waves are being passed through waveguides toward an object or target immersed in a liquid. The wall, wet by the liquid, is the wall of a target. If the target is immersed within liquid as is taught, the liquid must be in an enclosure. The abstract and specification on page 2, lines 2-14, clearly teach the transmission of ultrasonic waves through the interface of the wall and of the liquid. How can this possibly occur if the object is not immersed in liquid within an enclosure or vessel. The specification clearly states that the object is placed between the waveguides and that the waveguides pass through the "capacity". Accordingly, the word "capacity", to be consistent with the description, clearly is intended to mean a "defined volume of liquid contained in a vessel or enclosure". The claims have been amended accordingly so that they facilitate the

easy understanding thereof by the Examiner. Further support in the specification is clearly shown on page 4 and in the description of the figures, explaining that the "signals obtained with the invention pass through a wetting liquid". If the objects are not immersed in liquid within an enclosure, the signals could not be obtained through a wetting liquid. Additional support is also given on page 4, lines 26-27 in the description corresponding to Figure 2A which states that the "liquid which produces moderate damping of the waves". If the waves do not pass through the liquid to be damped, this will not take place. Lastly, on page 7, lines 16-17 state that "it is also important that the liquid bathing the target, wets them perfectly...." Once again, this cannot occur unless the enclosure encloses a liquid bath. Accordingly, claims 1-17 are clearly enabling and the rejection thereof under 35 USC 112 should be withdrawn.

The Examiner has also questioned whether the wall is partially or totally immersed in liquid. Once again, this is clear from the specification which, on page 4, lines 17-19, directly addresses this issue. As explained, an adhesive sheet may be used to cover part of the target 2 which determines whether the wall is partially immersed or not. Otherwise, the target is totally immersed in the liquid. The specification provides no other explanation for partial or complete immersion of the target in the liquid.

The Examiner has also inquired as to whether the wall is wetted on only one side while the other side of the wall is dry. None of the embodiments described in the subject application discuss one side of the wall as dry while the other side is wet. What sentence of the specification is the Examiner referring to, to reach such a conclusion? This would require the use of apparatus not taught in the specification. The invention instead uses different embodiments to control the degree of wetting. In one embodiment as shown in Figure 1, the object is placed between the two waveguides whereas in Figures 3, 4 and 5 the object is placed in front of one end of each of the waveguides or at right angles to the waveguides. The different embodiments control the way the waves reflect from the object and pass through the liquid which absorb a part of the signal energy in reflection.

The degree of wetting is determined either with the amplitude or the phase lag of the received signal at the beginning thereof without considering later parts of the received signal which are blurred by successive echoes caused by the liquid. This is explained in the specification in connection with Figures 2A through 2D.

As explained on page 5, lines 6-15 "the wetting level of the target 2 appears as being proportional to the intensity of the signal able to pass through the target". In Figure 3A the waveguides 5 and 6 are positioned side by side with the target having a defined concave shape to control the reflected waves after undergoing two reflections.

The Examiner further asks the question of whether the wetting is determined by a propagation of time measurement. There is no propagation of time measurement because time propagation depends on the length of the path made by the waves between the emitter and the receiver which thus depends on the container size but is not related to the wetting of the probe.

Applicant has amended the claims to facilitate a clearer understanding of the invention. No new matter has been entered.

For all of the above reasons, the rejection of the claims 1-17 under 35 USC should be withdrawn.

Reconsideration and allowance of claims 1-17 as amended is  
respectfully solicited.

Respectfully submitted,

By

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